

# Notice of Allowability

Application No.

09/627,421

Examiner

ABUL K. AZAD

Applicant(s)

MURASHIMA, ATSUSHI

Art Unit

2654

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed on October 18, 2005.
2. ☒ The allowed claim(s) is/are 10,12-18,20,21,23-33,36,38 and 40-44.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance

A.A. 9. ☒ Other request to enter amendment.

*ABUL AZAD*  
10/25/05  
ABUL AZAD  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the communication filed on October 18, 2005.
2. Claims 10, 12-18, 20, 21, 23-33, 36, 38 and 40-44 are pending in this action. Claims 10, 20, 21, 33, 36, 38, 40, 41 and 43 have been amended. Claims 1-9, 11, 19, 22, 34, 35, 37 and 39 have been canceled.

### ***Examiner's Amendment***

2. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on October 28, 2005, with Mr. David A. Blumenthal (Reg. No. 26,257) requested an extension of time for TWO MONTH(S) and authorized the Director to charge Deposit Account No. 19-0741 the required fee of \$450 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

#### **IN THE CLAIM:**

Claim 10, line 9, delete "said"

Claim 10, line 9, delete "performs"

Claim 10, line 9, after "means" insert - -for- -

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Claim 13, line 1, replace "11" with - -10- -

Claim 15, line 1, replace "11" with - -10- -

Claim 17, line 1, replace "11" with - -10- -

Claim 18, line 1, replace "11" with - -10- -

Claim 20, line 13, delete "said"

Claim 20, line 13, delete "performs"

Claim 20, line 13, after "means" insert - -for- -

Claim 24, line 1, replace "2" with - -21- -

Claim 26, line 1, replace "22" with - -21- -

Claim 28, line 1, replace "22" with - -21- -

Claim 29, line 1, replace "22" with - -21- -

Claim 33, line 9, delete "said"

Claim 33, line 9, delete "performs"

Claim 33, line 9, after "device" insert - -for- -

***Allowable Subject Matter***

3. Claims 10, 12-18, 20, 21, 23-33, 36, 38 and 40-44 are allowed over the prior art of record.

4. The following is an examiner's statement of reasons for allowance:

As per independent claims 10, 20, 21, 33 and 43, the applicant teaches a speech decoding apparatus/method. The prior art of record fails to teach or fairly suggest the claimed combination of features. The prior art of record particularly fails to teach or fairly suggest including other limitation, a classifying means for classifying unvoiced speech in accordance with decoded information, in addition to an identification means for identifying voiced speech and unvoiced speech using decoded information and smoothing means performing smoothing process in accordance with the unvoiced classification result, where unvoiced speech contain background noise.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(571) 272-7599**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(571) 272-7602**.

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Any response to this action should be mailed to:

**Commissioner for Patents**

**P.O. Box 1450**

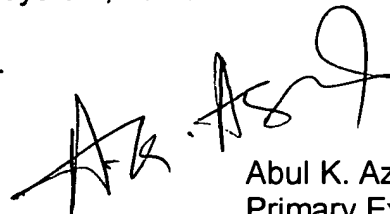
**Alexandria, VA 22313-1450**

Or faxed to: **(571) 273-8300**.

Hand-delivered responses should be brought to **401 Dulany Street, Alexandria, VA-22314** (Customer Service Window).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 29, 2005

A handwritten signature in black ink, appearing to read 'Abul K. Azad', is written over the printed name and title.

Abul K. Azad  
Primary Examiner  
Art Unit 2654

# TSS QAS REVIEW SHEET ver 5

Serial #

0

## Issue Processing



### JACKET/ISSUE CLASSIFICATION SHEET

Primary Examiner-box complete

☒ Yes ☐ No ☐ n/a

Issuing Classification complete

☐ Yes ☐ No ☒ n/a

PTO-892/1449

Examiner's initials or cross-through lines supplied for each item cited by applicant

☒ Yes ☐ No ☒ n/a

Date(s) supplied/complete on all PTO-1449/892 sheets (Month and year required)

☒ Yes ☐ No ☒ n/a

Brief description of drawings includes description of each figure in drawings

☒ Yes ☐ No ☒ n/a

Continuing data mentioned in 1st paragraph (can be an insert)

☐ Yes ☒ No ☒ n/a

### CLAIMS

Claims listed on Notice of Allowability match allowed claims and/or index of claims

☒ Yes ☐ No ☒ n/a

Claims correctly numbered in index. (No duplicate or missing claim numbers. And no incorrect dependencies)

☐ Yes ☐ No ☒ n/a

One sheet of complete claims

☐ Yes ☐ No ☒ n/a

### RAM FEES

☒ Examiner's amendment  
Check box if applicable

Amount Actually  
Charged

Amount that Should  
Have Been Charged

### CRFE-COMPUTER READABLE FORM

If necessary (biological sequence listing)

☐ Yes ☐ No ☒ n/a

### NOTICE OF ALLOWABILITY

If drawing is present, either Box No. 3 (drawings accepted) or Box No. 6 (corrected drawing request) has been checked

☐ Yes ☐ No ☒ n/a

### INITIALED BIB SHEET

Initialed Bib sheet is present

☒ Yes ☐ No ☒ n/a

### REVIEWER COMMENTS

PLEASE CORRECTED HIGHLIGHTED  
ITEMS. RETURN FOLDER AND  
THIS SHEET TO LIE OF 2654  
THANKS